

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 10-88(2)&(3) (DWF/FLN)

Plaintiff,

v.

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

Adrian Salinas Ortega,  
a/k/a Cesar Onesimo Ramirez Torres (2),  
and Julio Armando Holguin Martos,  
a/k/a Julio Armando Holgun Martos,  
a/k/a Armando Melendez Martinez,  
a/k/a Julio Armando Martinez (3),

Defendants.

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Jeffrey M. Bryan and Allen A. Slaughter, Jr., Assistant United States Attorneys, United States Attorney's Office, counsel for Plaintiff.

Daniel B. Mohs, Esq., Daniel Mohs & Associates, Ltd., counsel for Defendant Adrian Salinas Ortega.

Douglas Olson, Assistant Federal Defender, Office of the Federal Defender, counsel for Defendant Julio Armando Holguin Martos.

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This matter is before the Court upon Defendant Adrian Salinas Ortega's ("Defendant Ortega") objections and Defendant Julio Armando Holguin Martos's ("Defendant Martos") objections to Magistrate Judge Franklin L. Noel's Report and Recommendation dated May 25, 2010, recommending that Defendant Ortega's Motion for Suppression of Statements, Answers or Admissions in the Nature of Confessions be

denied; Defendant Ortega's Motion for Suppression of Physical Evidence Obtained from a Search and Seizure be denied; Defendant Martos's Motion to Suppress Evidence Obtained as a Result of Search and Seizure be denied; and Defendant Martos's Motion to Suppress Statements, Admissions and Answers be denied. The Government has filed a response opposing Defendants' objections to the Report and Recommendation. (Doc. No. [84].)

The Court has conducted a *de novo* review of the record, including a review of the arguments and submissions of counsel, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.2(b). The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference for purposes of Defendants' objections.

Based upon the *de novo* review of the record and all of the arguments and submissions of the parties and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

### **ORDER**

1. Defendant Adrian Salinas Ortega's objections (Doc. No. [80]) to Magistrate Judge Franklin L. Noel's Report and Recommendation dated May 25, 2010, are **DENIED**.
2. Defendant Julio Armando Holguin Martos's objections (Doc. No. [81]) to Magistrate Judge Franklin L. Noel's Report and Recommendation dated May 25, 2010, are **DENIED**.

3. Magistrate Judge Franklin L. Noel's Report and Recommendation dated May 25, 2010, is **ADOPTED**.

4. Defendant Adrian Salinas Ortega's Motion for Suppression of Statements, Answers or Admissions in the Nature of Confessions (Doc. No. [42]) is **DENIED**.

5. Defendant Adrian Salinas Ortega's Motion for Suppression of Physical Evidence Obtained from a Search and Seizure (Doc. No. [43]) is **DENIED**.

6. Defendant Julio Armando Holguin Martos's Motion to Suppress Evidence Obtained as a Result of Search and Seizure (Doc. No. [34]) is **DENIED**.

7. Defendant Julio Armando Holguin Martos's Motion to Suppress Statements, Admissions and Answers (Doc. No. [35]) is **DENIED**.

Dated: August 16, 2010

s/Donovan W. Frank  
DONOVAN W. FRANK  
United States District Judge